

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Alexander M. Harmon et al.

Application No. 10/729,046

Filed: December 5, 2003

For: VIABLE TISSUE REPAIR IMPLANTS AND  
METHODS OF USE

Confirmation No. 9312

Art Unit: 3738

Examiner: Alvin J. Stewart

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Dated: August 23, 2007

Signature: 

(Charlton Shen)

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**INFORMATION DISCLOSURE STATEMENT (IDS)**

Dear Sir/Madam:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed after a Request for Continued Examination and after the mailing date of the first Office Action on the merits in the continued examination.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b). It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The amount of \$180.00 for filing fees is being charged by credit card via EFS-Web, and the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 22956-235.

Dated: August 23, 2007

Respectfully submitted,



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Substitute for form 1449A/B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	10/729,046
		Filing Date	December 5, 2003
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		Art Unit	3738
		Examiner Name	Alvin J. Stewart
Sheet	1	of	5
		Attorney Docket Number	22956-235 (MIT-5023)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Signature				Date Considered	

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Substitute for form 1449A/B/PTO  <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>		<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/729,046</td> </tr> <tr> <td>Filing Date</td> <td>December 5, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Alexander M. Harmon et al.</td> </tr> <tr> <td>Art Unit</td> <td>3738</td> </tr> <tr> <td>Examiner Name</td> <td>Alvin J. Stewart</td> </tr> <tr> <td>Attorney Docket Number</td> <td>22956-235 (MIT-5023)</td> </tr> </table>		Application Number	10/729,046	Filing Date	December 5, 2003	First Named Inventor	Alexander M. Harmon et al.	Art Unit	3738	Examiner Name	Alvin J. Stewart	Attorney Docket Number	22956-235 (MIT-5023)
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Examiner Initials*	Cite No.†	Foreign Patent Document Country Code* Number* Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Substitute for form 1449A/B/PTO			<b>Complete if Known</b>		
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
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Examiner Signature	Date Considered
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Substitute for form 1449AB/PTO			<b>Complete if Known</b>		
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\*EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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